

## **REMARKS**

The non-final Office Action dated March 27, 2007 has been carefully considered. Claims 1-35 were pending in the present application. Claims 1-21 and 30-35 have been withdrawn. Upon entry of this amendment, claims 22-29 will be pending. Claim 22 has been amended to recite, *inter alia*, a system for coating a medical device comprising a coating material source containing a coating material comprising a biologically active material. Support for such amendments can be found throughout the originally-filed specification, specifically, page 3, par. [0008] and page 12, par. [0054]. No new matter has been added.

Reconsideration of the present application in view of the above amendments and following remarks is respectfully requested.

### **I. CLAIM REJECTION UNDER 35 U.S.C. § 102(b)**

Claims 22-28 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent No. 11-111423 to Shibata (“Shibata”). Applicants respectfully disagree.

As amended, claim 22 recites, *inter alia*, a system for coating a medical device that includes a coating material source that contains a coating material comprising a biologically active material. Claims 23-28 depend from claim 22 and, thus, include all the recitations of claim 22.

Shibata is directed to a spark plug and more particularly, to a method of forming a conductive film on a spark plug that includes applying conductive paste 390 to roller part 201 (Abstract). Shibata does not teach or suggest a system for coating a medical device, as recited in claim 22. Additionally, Shibata does not teach or suggest a system for coating a medical device that includes a coating material source containing a coating material comprising a biologically active material, as recited in claim 22. Shibata does not even disclose or suggest the use of a biologically active material.

Thus, claim 22 and the claims depending therefrom are believed to be patentable over Shibata. Therefore, withdrawal of this rejection and allowance of claims 22-28 are respectfully requested.

### **II. CLAIM REJECTION UNDER 35 U.S.C. § 103(a)**

Claim 29 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Japanese Patent No. 11-111423 to Shibata in view of Kirk-Othmer, Encyclopedia of Chemical Technology 3<sup>rd</sup> Ed, vol. 19, 607-624, 1982 (“Kirk-Othmer”). Applicants respectfully disagree.

Claim 29 depends from claim 27 which depends from claim 22. Thus, claim 29 includes all the recitations of claim 22. As discussed above, Shibata does not teach or

suggest a system for coating a medical device, let alone, a system for coating a medical device that includes a coating material source containing a coating material containing a biologically active material, as recited in claim 22. Also, as acknowledged by the Examiner, Shibata does not disclose or suggest an ultraviolet source as an energy source for converting the coating material applied to the outer surface of the tubular portion into a coating, as recited in claim 29.

Kirk-Othmer does not remedy the deficiencies of Shibata. Like Shibata, Kirk-Othmer does not teach or suggest a system for coating a medical device, much less a system for coating a medical device that includes a coating material source containing a coating material containing a biologically active material, as recited in claim 22.

Therefore, Shibata and Kirk-Othmer do not teach or suggest the system of coating a medical device as recited in claim 22. Thus, claim 29 which depends from claim 22 is believed to be patentable over Shibata in view of Kirk-Othmer. Accordingly, withdrawal of this rejection and allowance of claim 29 are respectfully requested.

### **III. CONCLUSION**

As the Examiner's rejections have been overcome, all claims are believed to be in condition for allowance. An early notice to that effect would be appreciated. Should the Examiner not agree with Applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

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